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Attorney General Brown Files Amicus Brief Urging Supreme Court of Maryland to Take Up Home Act Appeal and Protect Fair Housing Rights

BALTIMORE, MD (September 6, 2024) – Attorney General Anthony G. Brown has filed an [amicus brief](#) in the case of *Hare v. David S. Brown Enterprises, Ltd.*, urging the Supreme Court of Maryland to grant a writ of certiorari to hear the case and protect the fair housing rights of Marylanders under the Housing Opportunities Made Equal (HOME) Act.

Discrimination based on source of income affects people of color, families with children, and people with disabilities at a higher rate than other populations. Maryland enacted the HOME Act in 2020, joining 22 states and over 40 municipalities in banning housing discrimination based on source of income, including participants in the federal Housing Choice Voucher program, which subsidizes rents for almost 50,000 low-income families in Maryland. Families receiving assistance pay 30% of their income toward rent and utilities, and the remaining portion of the rent is paid by a separate contract with local government agencies.

The case of *Hare v. David S. Brown Enterprises, Ltd.* concerns an appeal from Katrina Hare, an elderly, disabled, African-American woman who receives Supplemental Security Income and uses a Housing Choice Voucher to afford housing. Ms. Hare was denied housing by David S. Brown, Ltd. because she did not meet its minimum income requirement of \$47,700 a year, even though her Housing Choice Voucher would have covered all but \$126 of rent. The Circuit Court of Baltimore County ruled that this denial was not tantamount to discrimination and granted summary judgment in favor of David S. Brown Enterprises, Ltd. Ms. Hare appealed that decision to the Appellate Court of Maryland and has requested that the Supreme Court of Maryland hear the case (she petitioned for a writ of certiorari) before the Appellate Court issues its opinion.

“The HOME Act, one of Maryland’s most significant civil rights laws, promises economic opportunity and mobility, but landlords who use minimum income requirements are skirting the intention of the Act and discriminating against low-income Marylanders,” said Attorney General Brown. “Nearly 50,000 Marylanders rely on Housing Choice Vouchers. To weaken the HOME

Act by allowing minimum income requirements is to jeopardize thousands of people's access to housing, and that is unacceptable.”

The Attorney General's brief supports Ms. Hare's petition to the Supreme Court of Maryland. The brief requests the Supreme Court of Maryland to hear the case and rule that David S. Brown Enterprise, Ltd. applied its minimum income requirements in a manner that illegally discriminates against prospective tenants who, like Ms. Hare, use Housing Choice Vouchers. The brief details the legislative history of the HOME Act and the clear intent of the General Assembly to protect Housing Choice Voucher participants from the type of housing discrimination at issue in this case.

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